



City of Racine

City Hall
730 Washington Ave.
Racine, WI 53403
www.cityofracine.org

Meeting Minutes - Draft

City Plan Commission

Mayor Cory Mason
Mario Martinez
Christina Hefel
Marvin Austin
Alderman Jason Meekma
Trevor Jung
Sam Peete

Wednesday, October 10, 2018

4:30 PM

City Hall, Room 205

Call To Order

Mayor Mason called the meeting to order at 4:32 p.m.

PRESENT: 6 - Cory Mason, Mario Martinez, Marvin Austin, Jason Meekma, Trevor Jung and Sam Peete

EXCUSED: 1 - Christina Hefel

Approval of Minutes for the September 26, 2018 Meeting

A motion was made by Commissioner Jung, seconded by Commissioner Peete, to approve the minutes of the September 26th meeting. The motion PASSED by a Voice Vote.

4:30 P.M. PUBLIC HEARINGS

[1053-18](#)

Subject: (Direct Referral) A request from Theodore Harris III seeking a conditional use permit to operate a convenience store at 2712 - 17th Street offering merchandise such as foods, household goods, health and beauty aids, toys, gifts, limited clothing items, and other similar type items. (PC-18)

Recommendation of the City Plan Commission on 10-10-18: That based on the findings of fact, the request from Theodore Harris III seeking a conditional use permit to operate a convenience store at 2712 - 17th Street be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on October 10, 2018 be approved subject to the conditions contained herein.
- b. That all of the following development standards be complied with prior to occupancy:
 1. Site be landscaped and maintained as required by Sec. 114-743. Specifically the vegetation in the western side of the building's foundation be removed; and

2. A decorative trash can be provided on the exterior of the building along the sidewalk area; and

3. Installation of a bike rack in the parkway area of the right-of-way

c. That if, prior to the issuance of an Occupancy Permit, required development standards listed in “b” above have not been or cannot be completed, a financial surety shall be provided to the City. The surety shall be in a format as approved by the City Attorney’s office, and subject to all stipulations as identified for financial sureties in the City of Racine. The dollar amount shall be determined at the time of application based upon estimates provided by the applicants for any incomplete work, and shall be valid for no less than one (1) year from the date of issuance. The surety format and content is subject to review and approval by the City Attorney.

d. That hours of operation cease from 9:00 PM to 8:00 AM daily and no deliveries shall occur in this time frame.

e. Signage be submitted to the Department of City Development for approval prior to issuance of building permit. All signage shall follow requirements of O district and be placed on the south (street facing) façade only. If illuminated, lighting shall be done through external means only.

f. That tobacco products of any kind, cigars, vaping products, e-cigarettes, and hookah of any kind shall not be consumed or sold on this premises as a portion of this business.

g. A window graphic be installed on each public entry door stating the hours of operation and no loitering.

h. That all codes and ordinances are complied with and required permits acquired.

i. That no minor changes be made from the conditions of this permit without approval of the Plan Commission, and no major changes be made from the conditions of this permit without the approval of the Common council.

j. That this conditional use permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Attachments: [2712 - 17th St. Review and Recommendations](#)
 [2712 - 17th St. Applicant Submittal](#)
 [2712 - 17th St. Public Hearing Notice](#)

Mayor Mason opened the Public Hearing at 4:34 p.m.

Associate Planner Jeff Hintz explained the requested and reviewed the zoning of the subject and adjacent properties, surrounding land uses and business, the comprehensive land use designation for the property, and photos of the site and surrounding area. He stated the property is a storefront zoned R-3 with single family homes and Knapp school surrounding. He stated parking is no required, the CUP granted for this property would not be transferable and alcohol sales and consumption

are not allowed. No exterior changes are being proposed at this time. Hintz explained the possible actions of the Plan Commission and the required findings of fact for approval of conditional use permits. He stated, with the limitation on hours to address finding #2, this application meets all of the required findings. Staff is recommending approval, subject to conditions.

Theodore Harris, the applicant, 1429 Oregon Street, spoke regarding his request. He stated he grew up in the area so he understands the neighborhood. He hopes his store adds value as there are no big box stores in the area and some of the residents do not have the resources to drive to other locations. He stated he hopes to serve the neighborhood. He also stated he that he is in the process of purchasing the building and expressed concern with condition f. in the recommendations. He stated he would like to be able to be considered to sell tobacco products in the future and while he understands the building's proximity to a school is a concern, he feels the laws will protect the children from purchasing tobacco products.

Commissioner Jung asked Harris if traffic were a concern.

Harris stated he does not believe so and he has been speaking with the crossing guard and police officers in the area regarding traffic.

Eileen Bowen, 4407 Wood Duck Way, spoke in opposition of the request. She owns property in the area on Grange Avenue and stated she is concerned with traffic and the potential of garbage being left behind. She stated there are four convenience stores in the area and does not see it being a tangible asset to the neighborhood. She stated she sees it becoming a "sweet shop".

Mayor Mason closed the public hearing at 4:50 p.m.

Commissioner Jung stated the applicant's action of speaking to the neighbors and the police and the requirement of a garbage receptacle addressed the concerns presented by Bowen. He stated the store would be good for the neighborhood.

In response to Commissioner Austin, Hintz stated that if condition f. stays, then the applicant would have to come back to the Commission and the Common Council requesting that it be struck from the approving resolution.

As requested by Mayor Mason, Alderman Meekma spoke regarding the potential for substance abuse when that substance is sold near a school. He stated a lot of research has been conducted regarding substance abuse especially in a school area (elementary school). He stated tobacco tends to market to youth and while he strongly supports the business, he is cautious about approving the sale of tobacco at this location.

Commissioner Austin agreed with Meekma regarding the proximity to the school and stated he was glad staff included this in the recommendations.

A motion was made by Commissioner Jung, seconded by Alderman Meekma, to recommend approval of the request subject to conditions. The motion PASSED by a Voice Vote.

[1054-18](#)

Subject: (Direct Referral) A request from Barb Waltman, Dan Oakes as agent, of Sekao Inc. seeking a conditional use permit to operate an automobile vehicle sales facility, including a garage for the storage and

servicing of motor vehicles, at 6000 - 21st Street. (PC-18)

Recommendation of the City Plan Commission on 10-10-18: That based on the findings of fact, the request from Barb Waltman, Dan Oakes as agent, of Sekao Inc. seeking a conditional use permit to operate an automobile sales facility, including a garage for the storage and servicing of motor vehicles, at 6000 - 21st Street be approved, subject to the following conditions:

a. That the plans presented to the Plan Commission on October 10, 2018 be approved subject to the conditions contained herein.

b. That all of the following development standards be complied with prior to occupancy unless otherwise noted:

1. Site be landscaped and maintained as required by Sec. 114-735 in accordance with a plan to be submitted by applicant. Plantings shall be submitted to the Department of City Development and approved prior to installation. Installation to occur by May 1, 2019; and

2. A transitional yard of no less than 6 feet be installed along the northern lot line and wall, fence, or densely planted compact hedge, not less than five feet nor more than eight feet in height along the lot line as required in Sec. 114-470; and

3. Specifications for trash enclosure required by Sec. 114-740 as shown on the site plans be submitted to and approved by City Development prior to installation. Privacy slats in a chain link fence shall not be utilized on the enclosure; and

4. Specifications for lighting fixtures be submitted to and approved by City Development Department as required by Sec. 114-742; and

5. Submittal of a drainage plan for the site as required by Sec. 114-739; said plan shall indicate where the lot drains and the layout of the storm sewer. Upon approval of the drainage plan, installation of improvements as required by the plan shall be installed prior to occupancy.

6. A site plan showing all easements on the property be submitted to the City Joint Plan Review Team prior to the issuance of a building permit. The building shall be at least 10 feet from the existing water main.

c. That if, prior to the issuance of an Occupancy Permit, required site improvements listed in "b" above have not been or cannot be completed, a financial surety shall be provided to the City. The surety shall be in a format as approved by the City Attorney's office, and subject to all stipulations as identified for financial sureties in the City of Racine. The dollar amount shall be determined at the time of application based upon estimates provided by the applicants for any incomplete work, and shall be valid for no less than one (1) year from the date of issuance. The surety format and content is subject to review and approval by the City Attorney.

- d. All changes to plans as required from the Joint Plan Review Team project review letter occur.
- e. That sales of vehicles be limited to passenger vehicles and shall not include commercial trucks, buses, vans or vehicles with more than two axles.
- f. That all codes and ordinances are complied with and required permits acquired.
- g. That no minor changes be made from the conditions of this permit without approval of the Plan Commission, and no major changes be made from the conditions of this permit without the approval of the Common council.
- h. That this conditional use permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Attachments: [6000 - 21st St. Review and Recommendations](#)
 [6000 - 21st St. Applicant Submittal](#)
 [6000 - 21st St. Public Hearing Notice](#)

Mayor Mason opened the public hearing at 4:56 p.m.

Hintz explained the request and reviewed the zoning of the subject and adjacent properties, surrounding land uses and businesses, the comprehensive land use designation for the property, and photos of the site and surrounding area. He stated the property is not within a corridor and is currently undeveloped. B2 and the Village of Mount Pleasant surrounds the area. Hintz reviewed the development standards and stated the parking spots need to be 19 feet deep, specifications regarding the selected materials for trash storage need to be provided, outdoor lighting plans need to be provided, and a landscaping plan needs to be provided. Signage has not yet been submitted however 154 sq. ft. is allowed for the site. He reviewed the floor and site plans for the request and stated repairs would be done at the Meineke located next to the property.

Hintz explained the possible actions of the Commission and the required findings of fact required for approval of conditional use permits. He stated the request meets all of the required findings. Staff is recommending approval, subject to conditions. Hintz reviewed the recommended conditions.

Dan Oakes, 1616 Oakes Road, spoke in support of the request. He does not have any problems with the staff recommendations.

Mayor Mason closed the public hearing at 5:05 p.m.

A motion was made by Alderman Meekma, seconded Commissioner Martinez, to recommend approval of the request subject to conditions. The motion PASSED by a Voice Vote.

END OF PUBLIC HEARINGS

[1055-18](#)

Subject: (Direct Referral) Consideration of amendments to the City of

Racine Municipal Code Chapter 114, Article VIII Flood Regulation, as mandated by FEMA, in relation to amended flood insurance rate map panels 113 and 226. (PC-18)

Recommendation of the City Plan Commission on 10-10-18: That an ordinance be prepared and a public hearing scheduled to amend Section 114-845(2)(a) to reflect the FEMA map panel revisions for Panels 113 and 226.

Fiscal Note: N/A

Attachments: [ABM Flood Plain Ordinance Amendment](#)

Assistant Director Matt Sadowski explained the request. He stated FEMA is requiring updates to the zoning code to amend panels 113 and 226 of the flood plain map. He stated neither change to the panels physically impact the city; however the ordinance needs to be amended to show the changes to the panels. He stated panel 113 contains Johnson Park and panel 226 contains a portion of Westmore Drive.

A motion was made by Commissioner Jung, seconded by Commissioner Peete, to recommend that an ordinance be prepared and a public hearing scheduled. The motion PASSED by a Voice Vote.

Adjournment

There being no further business, the meeting adjourned at 5:10 p.m.